

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TONY WEST,	:	
	:	
Plaintiff,	:	
	:	CIVIL ACTION
v.	:	NO. 16-3185
	:	
STATE FARM INSURANCE	:	
COMPANY,	:	
	:	
Defendant.	:	

ORDER

AND NOW, this 11th day of August, upon consideration of Plaintiff's Amended Complaint, (Dkt No. 7), Defendant's Motion to Dismiss, (Dkt No. 9), and Plaintiff's Response thereto, (Dkt No. 11), it is hereby ORDERED that Plaintiff's request to Amend the Amended Complaint is GRANTED. The "WHEREFORE" clause of Count II of the Amended Complaint is AMENDED and reads as follows:

WHEREFORE, plaintiff demands judgment in his favor and against defendant, for punitive damages and attorney fees in an amount exceeding the limits of Compulsory Arbitration, plus costs and expenditures, sums, delay damages, pre- and post- judgment interest, and any further relief as is just and appropriate.

Further, upon consideration of said Amended Complaint, and the pleadings, it is hereby ORDERED that Defendant's Motion to Dismiss is GRANTED. Count II of the Amended Complaint is dismissed without prejudice. Plaintiff is granted thirty (30) days from the date of this Order to file a Second Amended Complaint. Should Plaintiff fail to file said amendments, the claim will be dismissed with prejudice.

BY THE COURT:

/s/ C. Darnell Jones, II

C. Darnell Jones, II J.